

In The Matter Of:

Stephen Packman

(b) (6), (b) (7)(C)

February 21, 2019



Original File (b) (6), (b) (7)(C).prn

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BEFORE THE
ENVIRONMENTAL PROTECTION AGENCY

In the Matter of:) Case #:
Stephen Packman) EPA-R10-2022-001402
_____)

Thursday
February 21, 2019

INTERVIEW OF (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

APPEARANCES:

On behalf of EPA:

(b) (6), (b) (7)(C)

Also Present:

Greg Goldberg (Holland & Hart)

Joe Teig (Holland & Hart)

P R O C E E D I N G S

(b) (6), (b) (7)(C) So the camera is on. It is recording. I'm with (b) (6), (b) (7)(C) from EPA, Greg Goldberg and Joe Teig from Holland & Hart. And then (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) And how do you spell that?

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) Yes.

(b) (6), (b) (7)(C) : What's your job title?

(b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) : (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) : (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) : (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) : (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) : (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) Mm-hmm.

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) : Okay. So can you just kind of

1 explain to me what does a (b) (6), (b) (7)(C) do just in
2 general?

3 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

4 (b) (6), (b) (7)(C)

5 (b) (6), (b) (7)(C)

6 (b) (6), (b) (7)(C)

7 (b) (6), (b) (7)(C) Can you explain what an (b) (6), (b) (7)(C)
8 (b) (6), (b) (7)(C) is?

9 (b) (6), (b) (7)(C) Yep. (b) (6), (b) (7)(C)

10 (b) (6), (b) (7)(C)

11 (b) (6), (b) (7)(C)

12 (b) (6), (b) (7)(C) And when you're looking at waste
13 streams, what -- what are you looking at when you -- are
14 you just basically taking data off of what they've given
15 you or --

16 (b) (6), (b) (7)(C) Yep, off of the manifest.

17 (b) (6), (b) (7)(C) Okay. Do you do any of the
18 checks where you're looking at to make sure what they are
19 giving you is what you actually got, so what you have on
20 paper is what's in the drums?

21 (b) (6), (b) (7)(C) Yeah. So what it -- what happens
22 is (b) (6), (b) (7)(C)

23 And those copies go to Pad 4 (ph.) (b) (6), (b) (7)(C)

24 (b) (6), (b) (7)(C) and then Pad 4 matches
25 the drums with the waste streams.

1 (b) (6), (b) (7)(C) So Pad 4 will physically open up
2 the drums. Is that what Pad 4 does?

3 (b) (6), (b) (7)(C) No.

4 (b) (6), (b) (7)(C) Okay. So can you -- so what
5 does --

6 (b) (6), (b) (7)(C) So they'll make sure that the label
7 is on the drums.

8 (b) (6), (b) (7)(C) So just a visual?

9 (b) (6), (b) (7)(C) Mm-hmm, mm-hmm.

10 (b) (6), (b) (7)(C) Who would be on Pad 4 that would be
11 in charge of that related to the magnesium finds of the
12 boating accident?

13 (b) (6), (b) (7)(C) (ph.).

14 (b) (6), (b) (7)(C) : But there are people that are
15 opening up the drums to --

16 (b) (6), (b) (7)(C) Yeah.

17 (b) (6), (b) (7)(C) -- actually take a sample and
18 visually inspect them.

19 (b) (6), (b) (7)(C) Yes.

20 (b) (6), (b) (7)(C) Who are those?

21 (b) (6), (b) (7)(C) Also Pad 4.

22 (b) (6), (b) (7)(C) Pad 4. Is that part of
23 operations does that or --

24 (b) (6), (b) (7)(C) I'm not sure. I would assume,
25 yeah.

1 (b) (6), (b) (7)(C) So in your whole role of this,
2 (b) (6), (b) (7)(C)
3 (b) (6), (b) (7)(C)
4 (b) (6), (b) (7)(C) Mm-hmm.
5 (b) (6), (b) (7)(C) -- just by the outside of them.
6 (b) (6), (b) (7)(C) Mm-hmm.
7 (b) (6), (b) (7)(C) Okay.
8 UNIDENTIFIED SPEAKER: I'm sorry. Doesn't (b) (6), (b) (7)(C)
9 have to say yes?
10 (b) (6), (b) (7)(C) Yes, sorry.
11 (b) (6), (b) (7)(C) Oh, sorry.
12 UNIDENTIFIED SPEAKER: It doesn't show up very
13 well.
14 (b) (6), (b) (7)(C) Doesn't show up, head nods.
15 (b) (6), (b) (7)(C) Also, (b) (6), (b) (7)(C)
16 (b) (6), (b) (7)(C)
17 (b) (6), (b) (7)(C)
18 (b) (6), (b) (7)(C) Okay. And you, (b) (6), (b) (7)(C)
19 (b) (6), (b) (7)(C) Correct?
20 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)
21 (b) (6), (b) (7)(C) If there is any discrepancies of
22 what is on the truck and what the paperwork says, what do
23 (b) (6), (b) (7)(C) do?
24 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) call
25 customer service and let them know what's going on, like

1 if (b) (6), (b) (7)(C) had a piece count discrepancy. They would call the
2 generator and ask, hey, did this happen, can we clarify
3 it.

4 (b) (6), (b) (7)(C) Okay. Was the generator called
5 in the -- regarding the waste that was involved with the
6 accident?

7 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

8 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) So during that
9 week leading up to the accident, (b) (6), (b) (7)(C) checks.
10 So you're saying (b) (6), (b) (7)(C)

11 (b) (6), (b) (7)(C)

12 (b) (6), (b) (7)(C) What had happened is the profile
13 was expired and so customer service needed to renew that
14 profile.

15 (b) (6), (b) (7)(C) What does it mean when a profile
16 is expired. Is it too old or --

17 (b) (6), (b) (7)(C) I believe so. (b) (6), (b) (7)(C)

18 (b) (6), (b) (7)(C)

19 Sometimes, it could be something really as easy as the
20 address doesn't match and (b) (6), (b) (7)(C) have to call customer
21 service. (b) (6), (b) (7)(C)

22 (b) (6), (b) (7)(C) So (b) (6), (b) (7)(C)
23 and (b) (6), (b) (7)(C) .

24 (b) (6), (b) (7)(C) Yep. So that means that (b) (6), (b) (7)(C)
25 put it into (b) (6), (b) (7)(C) system. And they renewed the profile and

1 then it was put in and it was good.

2 (b) (6), (b) (7)(C) How did they renew the profile?

3 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) .

4 (b) (6), (b) (7)(C) Who would be the person at
5 customer service that would do that usually?

6 MS. (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

7 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) What's (b) (6), (b) (7)(C) last name?

8 (b) (6), (b) (7)(C)

9 (b) (6), (b) (7)(C) Do you know how long it took for the
10 manifest to be updated or the profile to be updated?

11 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

12 (b) (6), (b) (7)(C) By the generator.

13 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

14 (b) (6), (b) (7)(C) Was it all done the week before
15 the accident, the Monday through Friday?

16 (b) (6), (b) (7)(C) Well, what had happened is (b) (6), (b) (7)(C)
17 computer systems (b) (6), (b) (7)(C) down. So there were drum loads that
18 were coming in, this being one of them, that (b) (6), (b) (7)(C)

19 (b) (6), (b) (7)(C) . So (b) (6), (b) (7)(C) didn't realize that
20 there was a problem with the drum load until the computers
21 were back up, which I believe was Wednesday/Thursday-ish
22 and that's when they were able to fix it. But because the
23 computers aren't -- weren't working, (b) (6), (b) (7)(C)

24 (b) (6), (b) (7)(C) .

25 (b) (6), (b) (7)(C) Sure. So when something like

1 that happens, they're just kind of put off to the side and
2 -- or they just say on the truck, or how does --

3 (b) (6), (b) (7)(C) So what happens is, as long as the
4 piece count is correct, they're able to offload. And that
5 their waste streams match the manifest.

6 (b) (6), (b) (7)(C) And that's all looking at drums
7 and then the paperwork.

8 (b) (6), (b) (7)(C): Mm-hmm. And the piece counts were
9 good and so (b) (6), (b) (7)(C) had no reason --

10 (b) (6), (b) (7)(C) So the piece count was good and then
11 the second part of that was that the waste streams?

12 (b) (6), (b) (7)(C) Match.

13 (b) (6), (b) (7)(C) Match from the outside.

14 (b) (6), (b) (7)(C) Yep.

15 (b) (6), (b) (7)(C) The labels match the manifest that

16 (b) (6), (b) (7)(C)

17 (b) (6), (b) (7)(C) Mm-hmm.

18 (b) (6), (b) (7)(C) And those matched.

19 (b) (6), (b) (7)(C) I(b) (6), (b) (7)(C) They let the
20 truck go and it had the correct piece count. (b) (6), (b) (7)(C)

21 (b) (6), (b) (7)(C)

22 (b) (6), (b) (7)(C) That would be Pad 4.

23 (b) (6), (b) (7)(C) Mm-hmm. (b) (6), (b) (7)(C)

24 (b) (6), (b) (7)(C)

25 (b) (6), (b) (7)(C) Was there anything about that

1 manifest that was unusual or caught your attention? Do
2 (b) (6), (b) (7)(C)

3 (b) (6), (b) (7)(C) I do. I remember it, because it
4 was the biggest line item (b) (6), (b) (7)(C) It was a
5 line item of 133. And the overall piece count was close
6 to 200. So (b) (6), (b) (7)(C)

7 (b) (6), (b) (7)(C) ,

8 it was a big drum load.

9 (b) (6), (b) (7)(C) And so it was, yeah, big, the
10 (b) (6), (b) (7)(C) . Did you do anything
11 because it was? Did you -- (b) (6), (b) (7)(C)

12 (b) (6), (b) (7)(C)

13 (b) (6), (b) (7)(C)

14 (b) (6), (b) (7)(C)

15 (b) (6), (b) (7)(C) No.

16 (b) (6), (b) (7)(C) And just to review, you said
17 that customer service, (b) (6), (b) (7)(C) , or (b) (6), (b) (7)(C) may have
18 called the generator, but not sure what they're doing?

19 (b) (6), (b) (7)(C) Right. (b) (6), (b) (7)(C)

20 (b) (6), (b) (7)(C) of how to renew the -- renew it.

21 (b) (6), (b) (7)(C) All right. I'm ready to move
22 on.

23 (b) (6), (b) (7)(C) Yep, okay.

24 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

25 (b) (6), (b) (7)(C)

1 magnesium dust or other metal dusts, working around them,
2 anything like that?

3 (b) (6), (b) (7)(C) No.

4 (b) (6), (b) (7)(C) Okay.

5 (b) (6), (b) (7)(C) Well, maybe that could be HAZWOPER,
6 possibly.

7 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) ?

8 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) .

9 (b) (6), (b) (7)(C) And then kind of basically (b) (6), (b) (7)(C)

10 (b) (6), (b) (7)(C)

11 (b) (6), (b) (7)(C) . Is that pretty much it?

12 (b) (6), (b) (7)(C) Well, (b) (6), (b) (7)(C) .

13 But (b) (6), (b) (7)(C) .

14 (b) (6), (b) (7)(C) So (b) (6), (b) (7)(C)

15 (b) (6), (b) (7)(C)

16 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) , yeah.

17 (b) (6), (b) (7)(C) So (b) (6), (b) (7)(C)

18 (b) (6), (b) (7)(C)

19 anything like that?

20 (b) (6), (b) (7)(C) No, nope.

21 (b) (6), (b) (7)(C) Okay. That's all my questions.

22 Do you have any?

23 (b) (6), (b) (7)(C) So (b) (6), (b) (7)(C)

24 (b) (6), (b) (7)(C)(b) (6), (b) (7)(C)

25 (b) (6), (b) (7)(C) Yeah.

1 UNIDENTIFIED SPEAKER: So you said that it's
2 (b) (6), (b) (7)(C) . Is this pretty much
3 almost an anomaly when it came in? I guess what I'm
4 getting to, (b) (6), (b) (7)(C)

5 (b) (6), (b) (7)(C) ?

6 (b) (6), (b) (7)(C) Not that I was aware of, no.

7 (b) (6), (b) (7)(C) So did this stick out as like way --
8 this is -- (b) (6), (b) (7)(C)

9 (b) (6), (b) (7)(C)
10 would it be unusual for this type of --

11 (b) (6), (b) (7)(C) Well, also I don't exactly know
12 that it was magnesium, like it doesn't say that on the
13 manifest. So I, I didn't know of that then, you know what
14 I mean.

15 (b) (6), (b) (7)(C) So what did you know it -- what would
16 you have seen?

17 (b) (6), (b) (7)(C) So it comes in -- it comes in with
18 a waste stream. I don't remember the waste stream. And
19 then it will have like maybe codes on the side, D-01,
20 D-02. But (b) (6), (b) (7)(C)

21 (b) (6), (b) (7)(C) . And I don't feel like that
22 would have raised any concerns for me to remember it or
23 think this is, you know.

24 (b) (6), (b) (7)(C) And the codes you see like the D-1
25 are just like flammable something or other or --

1 (b) (6), (b) (7)(C) Right, yeah. And really I just

2 (b) (6), (b) (7)(C)

3 (b) (6), (b) (7)(C)

4 (b) (6), (b) (7)(C)

5 (b) (6), (b) (7)(C) Are you involved in any of the
6 inspections from the DEQ, like monthly inspections as far
7 as RCRA goes?

8 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

9 (b) (6), (b) (7)(C) But that really

10 (b) (6), (b) (7)(C) They might just ask
11 where the packet is at.

12 (b) (6), (b) (7)(C) No more questions for me.

13 (b) (6), (b) (7)(C) All right. And okay, thank you.

14 (b) (6), (b) (7)(C) Okay, thank you, guys.

15 (End of Interview)

16 CERTIFICATION

17 (b) (6), (b) (7)(C) court approved transcriber,
18 certify that the foregoing is a correct transcript from
19 the official electronic sound recording of the proceedings
20 in the above-entitled matter.

21

22

23 (b) (6), (b) (7)(C) 05/01/2023

24 Burke Court Reporting & Transcription

25

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|---|--|--|---|---|
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